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Notice of Allowability

Application No.

10/814,327

Examiner

Derek L. Dupuis

Applicant(s)

BURDICK ET AL.

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/17/2007.
2. ☒ The allowed claim(s) is/are 1-8 and 20-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Shane Jensen (Reg. No. 55,301) on 10/1/2007.

The application has been amended as follows:

Please cancel claims 9-19.

Response to Arguments

2. Applicant's arguments, see pages 9 and 10, in combination with the amendment to the claims filed 8/17/2007, with respect to the rejection of claims 1-8 and 20-23 under 35 U.S.C. 103(a) have been fully considered and are persuasive. The rejection of claims 1-8 and 20-23 under 35 U.S.C. 103(a) has been withdrawn.
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Rosenberg et al (US 2003/0180013 A1)* discloses a system for minimizing EMI comprising an optical subassembly (102), a transceiver substrate (118), and a coupling member (120) comprising signal traces (114) and a ground plane layer (116). Rosenberg et al do not disclose or render obvious a second ground plane layer positioned on a second side of the signal trace layer or a common mode grounding capacitor.

Allowable Subject Matter

4. Claims 1-8 and 20-31 are allowed.

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5. The following is an examiner's statement of reasons for allowance:
6. Claim 1 is allowable over the prior art of record because the latter, either alone or in combination, does not disclose nor render obvious a system configured for minimizing electromagnetic radiation in an optical transceiver comprising an optical subassembly, a transceiver substrate, a coupling member that communicatively couples the subassembly to the substrate, the coupling member comprising a signal trace layer, a first ground plane layer positioned on a first side of the signal trace layer, a second ground plane layer positioned on a second side of the signal trace layer, wherein at least one of the first or second ground plane layers connect a body of the optical subassembly to a common mode grounding capacitor in combination with the rest of the claimed limitations.
7. Claims 2-8 are dependent upon claim 1 and are allowable for the same reasons.
8. Claim 20 is allowable over the prior art of record because the latter, either alone or in combination, does not disclose nor render obvious a method for minimizing electromagnetic radiation in an optical subassembly comprising the steps of transferring a high frequency electrical signal between a transceiver substrate and an optical subassembly through a multilayered coupling member, wherein the coupling member includes a signal trace layer, a first ground plane layer positioned on a first side of the signal trace layer, a second ground plane layer positioned on a second side of the signal trace layer, and discharging a common mode signal that builds on the optical subassembly through a common mode grounding capacitor in combination with the rest of the claimed limitations.
9. Claims 21-23 are dependent upon claim 20 and are allowable for the same reasons.

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10. Claim 24 is allowable over the prior art of record because the latter, either alone or in combination, does not disclose nor render obvious a system configured for minimizing electromagnetic radiation in an optical transceiver comprising an optical subassembly, a transceiver substrate, a coupling member that communicatively couples the subassembly to the substrate, the coupling member comprising a signal trace layer, one or more ground plane layers that connect a body of the optical subassembly to a common mode grounding capacitor, wherein the common mode grounding capacitor is implemented on the transceiver substrate and has a first terminal coupled to the body of the optical subassembly and a second terminal coupled to ground in combination with the rest of the claimed limitations.

11. Claims 25-31 are dependent upon claim 24 and are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derek L. Dupuis whose telephone number is (571) 272-3101. The examiner can normally be reached on Monday - Thursday 8:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Derek L. Dupuis
Group Art Unit 2883



Frank G. Font
Supervisory Patent Examiner
Technology Center 2800